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5 Attorney for:  
6 **ARTURO TEJADA GOMEZ**

7 **UNITED STATES DISTRICT COURT**  
8 **FOR THE EASTERN DISTRICT OF WASHINGTON**  
9 **(Magistrate Judge Mary K. Dimke)**

10  
11  
12 UNITED STATE OF AMERICA, ) NO. 4:21-CR-6004-SMJ  
13 Plaintiff, )  
14 vs. ) DEFENDANT'S MOTION FOR RE-  
15 ) OPEN OF DETENTION HEARING  
16 ARTURO TEJEDA GOMEZ, )  
17 Defendant, ) October 12, 2021 at 2:30 p.m.  
18 ) Richland, WA – With  
19 ) Oral Argument

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20  
21 Arturo Tejeda Gomez requests that this Court reopen the detention  
22 hearing in his case. The Court's prior ruling denied Mr. Gomez' previous  
23 request for release in this matter. The Government does not oppose the  
24 Motion to Reopen but has advised it will argue against release.

25 Motion for Order of Release

26 On January 22, 2021 the Court issued an Order of Detention Pending Trial  
27 (ECF 31) denying Mr. Tejeda-Gomez's request to be released under an imposition of  
28 conditions consistent the Bail Reform Act of 1984. In support of this Motion to

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30 DEFENDANT'S MOTION FOR RE-OPEN OF  
31 DETENTION HEARING

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1 Reopen his Detention Hearing Mr. Tejeda resubmits the letters of support previously  
2 filed in this case. This Court has previously held that Mr. Tejeda-Gomez satisfied the  
3 Rebuttable Presumption arising under 18.U.S.C. 3142( e ) (3) however, the  
4 Government has met its burden of proof regarding safety of the community and that  
5 no conditions or combination of conditions of release could be imposed that would  
6 assure Mr. Tejeda-Gomez's appearance as required. Mr. Tejeda-Gomez respectfully  
7 asks this Court to reconsider it's prior ruling based on the information set forth  
8 herein.

9  
10 Mr. Tejeda urges this Court to release him on conditions of release for the  
11 following reasons. Mr. Tejeda-Gomez wife was diagnosed with an auto immune  
12 disease nearly ten years ago which is progressively getting worse. Once Mr. Tejeda-  
13 Gomez was incarcerated the family lost its medical insurance. If released Mr. Tejeda-  
14 Gomez's job would be waiting for him. This would result in Mr. Tejeda' Gomez  
15 medical insurance being reinstated. Further, release of Mr. Tejeda-Gomez would give  
16 him the opportunity to assist his wife in starting a barbecue smoked pork business.  
17 This would allow his wife to support herself once Mr. Tejeda-Gomez' case was  
18 resolved.

19  
20 To ensure Mr. Tejeda-Gomez' compliance with the conditions of his release his  
21 Mother-in-Law is willing to grant a security interest to the Government in real  
22 property with a fair market value assessment of One-Hundred-Forty Thousand  
23 Dollars(\$140,000) as security for his appearance at trial. This property is  
24 unencumbered by debt. Also, in support of his motion for release Mr. Tejeda-Gomez  
25 submits his community supervision record in his previous case as confirmation of his  
26 ability to comply with any conditions of release the Court is willing to impose.  
27  
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## Conclusion

Mr. Tejeda-Gomez respectfully request that this court grant his motion and release him from custody subject to conditions the Court deems appropriate.

Dated this 4<sup>th</sup> day of October 2021.

/s/ Ken Therrien  
KEN THERRIEN, WSBA #20291  
Attorney for Defendant

## **CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury of the laws of the State of Washington that on October 4, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

- Benjamin D. Seal, Assistant United States Attorney
- Ian Garrigues' Assistant United States Attorney

s/ Ken Therrien  
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